

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA, MIDDLE DIVISION

Michelle Lee HELM	)	
	)	
Plaintiff	)	
	)	Case No. 4:15-cv-01152-VEH
	)	
RAINBOW CITY, ALABAMA, et al.,	)	<b><i>**Hearing Not Necessary*</i></b>
	)	
Defendants	)	

**DEFENDANTS', GREG CARROLL, JAMES FAZEKAS,**  
**TIMOTHY KIMBROUGH AND GEORGE MORRIS,**  
**MOTION FOR SUMMARY JUDGMENT**

Come now the Defendants, Greg Carroll (öCarrollö), James Fazekas (öFazekasö), Timothy Kimbrough (öKimbroughö), and George Morris (öMorrisö), which/who move this Honorable Court for final summary judgment on all claims made by the Plaintiff, Michelle Lee Helm (öHelmö). There are no disputes as to any material fact, and said Defendants are entitled to judgment as a matter of law. No hearing is necessary for this motion, but if the Court should desire oral argument, the undersigned would be honored to appear. This motion is based on the grounds and argument set forth in said Defendants' brief (Doc. 84) and the evidence filed with the Court (*see* Docs. 83-1 to 83-6.)

Additionally, to the extent they may be applicable and warrant granting their Motion to Summary Judgment, Carroll, Fazekas, Kimbrough and Morris adopt and

incorporate herein the other defendants' Motions for Summary Judgment and the grounds, arguments, reasoning, and case authorities supporting those Motions.

**WHEREFORE, PREMISES CONSIDERED,** Defendants, Carroll, Fazekas, Kimbrough and Morris, respectfully request this Court to enter summary judgment in their favor on Plaintiff's claims.

Respectfully submitted,

/s/ C. David Stubbs

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Certificate of Filing and Service

I hereby certify that the following has been served a copy of the foregoing document, on the 20<sup>th</sup> day of April, 2017, by placing the same in the U.S. mail, postage prepaid and properly addressed; or, if the party being served is a registered participant in the ECF System of the United States District Court for the Northern District of Alabama, by a Notice of Electronic Filing pursuant to N.D. Ala. Local Rule 5.4:

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/s/ C. David Stubbs  
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